

REMARKS

Forty-three claims were originally filed in the present Application. Claims 1-10, 14-30, 34-40, and 42-43 currently stand rejected, and claims 11-13, 31-33, and 41 are objected to, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Accordingly, claims 1, 4-5, 11, 21, 24-25, 31, and 41-42 are amended herein. Reconsideration of the Application in view of the foregoing amendments and the following remarks is respectfully requested.

Rejection under 35 U.S.C. §112, Second Paragraph

In paragraph 2 of the Office Action, the Examiner indicates that claims 4-5, 24-25, and 42 are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. With regard to claims 4-5 and 24-25, he Examiner indicates that it is not clear what is meant by the recited claim limitations “substantially unchanged”, “several generations”, and “a potential to change”.

In response, Applicants herein amend claims 4-5 and 24-25. In addition, Applicants herein amend claim 42 to address the Examiner’s concerns with regard to providing proper antecedent basis for the claimed limitations. In view of the foregoing remarks and amendments, Applicants believe that the Examiner’s rejections are addressed, and respectfully request that the rejections under 35 U.S.C. §112, second paragraph, be withdrawn so that claims 4-5, 24-25, and 42 may issue in a timely manner.

35 U.S.C. § 102(b)

In paragraph 4 of the Office Action, the Examiner rejects claims 1-3, 21-23, and 42-43 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. US 6,006,319 to Takahashi et al. (hereafter Takahashi). The Applicants respectfully traverse these rejections for at least the following reasons.

“For a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be *identically* shown in a single reference.” *Diversitech Corp. v. Century Steps, Inc.*, 7 USPQ2d 1315, 1317 (CAFC 1988). The Applicants submit that Takahashi fails to identically teach every element of the claims, and therefore does not anticipate the present invention.

Regarding the Examiner’s rejection of independent claims 1 and 21, Applicants respond to the Examiner’s §102 rejection as if applied to amended independent claims 1 and 21 which now recite “*a primary device that is configured to perform core operating functions in said electronic architecture, said core operating functions remaining unchanged after said electronic architecture is updated,*” and “*an auxiliary device that is configured to perform selected additional operating functions in said electronic architecture, said selected additional operating functions being altered after said electronic architecture is updated,*” which are limitations that are not taught or suggested either by the cited reference, or by the Examiner’s citations thereto. Applicants submit that the foregoing amendments are supported by claims 4-5 and 24-25, as originally filed, and therefore do not necessitate a new search.

In the present Office Action, the Examiner cites Takahashi in support of the rejection of claims 1-3, 21-23, and 42-43 under 35 U.S.C. § 102(b). Applicants respectfully disagree with the Examiner's interpretation of the teachings of Takahashi which essentially discloses dividing available processing cycle time between two identical processors who alternately access and run the same program instructions from a common memory device (see column 3, lines 33-42). The primary device and auxiliary device of Takahashi are therefore both implemented as processor devices.

In contrast, Applicants' architecture utilizes claimed "primary device" and "auxiliary device" which are neither implemented as processors. Applicants further respectfully submit that Takahashi nowhere discloses segregating "core operating functions" to the primary device, "said core operating functions remaining unchanged when said electronic architecture is updated," as claimed by Applicants. Applicants further submit that Takahashi nowhere discloses segregating "selected additional operating functions" to the auxiliary device, "said selected additional operating functions being altered when said electronic architecture is updated," as also claimed by Applicants.

Certain reasons for implementing the foregoing claimed architecture are discussed by Applicants from page 7, line 17 to page 8, line 2, of the Specification, which states that "the problems discussed above in conjunction with the FIG. 1 unitary device 110 may preferably be addressed by advantageously separating various functionalities of unitary device 110 (FIG. 1) for performance by either first device 110(a) or second device 110(b). In the FIG. 2 embodiment, first device 110(a)

may then include relatively unchanging elements and functionalities, while second device 110(b) may be utilized to support less standard, changeable elements and functionalities. System designers may thus efficiently redesign only second device 110(b) to subsequently support any additional or different tasks or operations. The foregoing architecture may also be advantageously utilized while initially designing an electronic system.” For at least the foregoing reasons, Applicants submit that all of the claimed limitation are not *identically* taught by Takahashi, and therefore the rejections under 35 U.S.C. § 102(b) are improper.

With regard to claim 42, “means-plus-function” language is utilized to recite elements and functionality similar to those recited in claims 1 and 21 as discussed above. Applicants therefore incorporate those remarks by reference with regard to claim 42. In addition, the Courts have frequently held that “means-plus-function” language, such as that of claim 42, should be construed in light of the Specification. More specifically, means-plus-function claim elements should be *construed to cover the corresponding structure, material or acts described in the specification*, and equivalents thereof.

Applicants respectfully submit that, in light of the substantial differences between the teachings of Takahashi and Applicants’ invention as disclosed in the Specification, claim 42 is therefore not anticipated or made obvious by the teachings of Takahashi. Applicants specifically direct the Examiner’s attention to Applicants’ discussion of FIG. 3-5 (Specification, page 8, line 15 through page 13, line 15) which describes in detail Applicants’ claimed “system for implementing an electronic architecture . . .”

Regarding the Examiner's rejection of dependent claims 2-3 and 22-23, for at least the reasons that these claims are directly or indirectly dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims 2-3 and 22-23, so that these claims may issue in a timely manner.

Because a rejection under 35 U.S.C. §102 requires that each claimed limitation be *identically* taught by a cited reference, and because the Examiner fails to cite Takahashi to identically teach the claimed invention, Applicants respectfully request reconsideration and allowance of claims 1-3, 21-23, and 42-43, so that the present Application may issue in a timely manner.

35 U.S.C. § 102(e)

In paragraph 4 of the Office Action, the Examiner rejects claims 1, 6-10, 14-21, 26-30, and 34-40 under 35 U.S.C. § 102(3) as being anticipated by U.S. Patent No. US 6,145,029 A to Deschepper et al. (hereafter Deschepper). The Applicants respectfully traverse these rejections for at least the following reasons.

"For a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be *identically* shown in a single reference." *Diversitech Corp. v. Century Steps, Inc.*, 7 USPQ2d 1315, 1317 (CAFC 1988). The Applicants submit that Deschepper fails to identically teach every element of the

claims, and therefore does not anticipate the present invention.

Regarding the Examiner's rejection of independent claims 1 and 21, Applicants respond to the Examiner's §102 rejection as if applied to amended independent claims 1 and 21 which now recite "*a primary device that is configured to perform core operating functions in said electronic architecture, said core operating functions remaining unchanged when said electronic architecture is updated,*" and "*an auxiliary device that is configured to perform selected additional operating functions in said electronic architecture, said selected additional operating functions being altered when said electronic architecture is updated,*" which are limitations that are not taught or suggested either by the cited reference, or by the Examiner's citations thereto. Applicants submit that the foregoing amendments are supported by claims 4-5 and 24-25, as originally filed, and therefore do not necessitate a new search.

In the present Office Action, the Examiner cites Deschepper in support of the rejection of claims 1-3, 21-23, and 42-43 under 35 U.S.C. § 102(b). Applicants respectfully disagree with the Examiner's interpretation of the teachings of Deschepper, which essentially discloses using programmable status bits for disabling any duplicated functions when a laptop computer is connected to a docking station (see column 3, line 61 to column 4, line 24).

In contrast to Applicants' claimed invention, Applicants submit that Deschepper nowhere discloses segregating "core operating functions" to the primary device, "*said core operating functions remaining unchanged when said electronic architecture is updated,*" as claimed by Applicants. Applicants further

submit that Deschepper nowhere discloses segregating “selected additional operating functions” to the auxiliary device, “said selected additional operating functions being altered when said electronic architecture is updated,” as also claimed by Applicants.

Certain reasons for implementing the foregoing claimed architecture are discussed by Applicants from page 7, line 17 to page 8, line 2, of the Specification, which states that “the problems discussed above in conjunction with the FIG. 1 unitary device 110 may preferably be addressed by advantageously separating various functionalities of unitary device 110 (FIG. 1) for performance by either first device 110(a) or second device 110(b). In the FIG. 2 embodiment, first device 110(a) may then include relatively unchanging elements and functionalities, while second device 110(b) may be utilized to support less standard, changeable elements and functionalities. System designers may thus efficiently redesign only second device 110(b) to subsequently support any additional or different tasks or operations. The foregoing architecture may also be advantageously utilized while initially designing an electronic system.” For at least the foregoing reasons, Applicants submit that all of the claimed limitation are not *identically taught* by Deschepper, and therefore the rejections under 35 U.S.C. § 102(b) are improper.

Regarding the Examiner’s rejection of dependent claims 6-10, 14-20, 26-30, and 34-40, for at least the reasons that these claims are directly or indirectly dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective

independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims 6-10, 14-20, 26-30, and 34-40, so that these claims may issue in a timely manner.

Because a rejection under 35 U.S.C. §102 requires that each claimed limitation be *identically* taught by a cited reference, and because the Examiner fails to cite Deschepper to identically teach the claimed invention, Applicants respectfully request reconsideration and allowance of claims 1, 6-10, 14-21, 26-30, and 34-40, so that the present Application may issue in a timely manner.

Allowable Subject Matter

In paragraph 8 of the Office Action, the Examiner indicates that claims 11-13, 31-33, and 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants therefore herein amend claims 11, 31, and 41 in independent form, including all of the limitations of the base claim, to thereby place claims 11, 31, and 41 in condition for immediate allowance. Claims 12-13 depend from amended claim 11, and claims 32-33 depend from amended claim 31, and therefore are also in condition for immediate allowance.

Summary

Applicants submit that the foregoing amendments and remarks overcome the Examiner's rejections under 35 U.S.C. §112, 35 U.S.C. §102(b), and 35 U.S.C. §102(e). Because the cited references, or the Examiner's citations thereto, do not teach or suggest the claimed invention, and in light of the differences between the claimed invention and the cited prior art, Applicants therefore submit that the claimed invention is patentable over the cited art, and respectfully request the Examiner to allow claims 1-43 so that the present Application may issue in a timely manner. If there are any questions concerning this amendment, the Examiner is invited to contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,

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